

DOCKET FILE COPY ORIGINAL

RECEIVED

JUN - 3 1997

Before the  
Federal Communications Commission  
Washington, D.C. 20554

Federal Communications Commission  
Office of Secretary

In the Matter of )

)  
Amendment of Section 73.202(b), )  
Table of Allotments, )  
FM Broadcast stations. )  
(Potts Camp and Saltillo, Mississippi) )

MM Docket No. 97-107  
RM-9023

To: Chief, Allocations Branch

**REPLY COMMENTS OF**  
**BROADCASTERS & PUBLISHERS, INC.**

Broadcasters & Publishers, Inc., by its attorneys, hereby submits its Reply to the Comments filed by Olvie E. Sisk, licensee of Station WCNA(FM), Potts Camp, Mississippi, in response to the Notice of Proposed Rule Making released by the Commission on March 28, 1997 in the above-captioned rulemaking proceeding ("Notice"). In support thereof, the following is shown:

The Comments of Olvie E. Sisk ("petitioner") essentially repeats in haec verba the statements contained in his Petition for Rule Making proposing the reallocation of Channel 240C3 from Potts Camp to Saltillo, Mississippi, and the modification of petitioner's license to specify Saltillo as Station WCNA(FM)'s community of license. Petitioner once again asserts that Saltillo is a growing and thriving community while Potts Camp is a community in decline. Once again, Petitioner fails to cite any Commission precedent for the proposition that Potts Camp should

VLDC01-177774.1

No. of Copies rec'd  
List ABCDE

07-6

not be deemed a community for allotment purposes. Moreover, both the Petition for Rule Making and the Comments do not contain a declaration or an affidavit attesting to the accuracy of the assertions underlying petitioner's allegation that "if the Potts Camp allotment were to be proposed at the current time, it is highly unlikely that Potts Camp would be found to have enough attributes of a community to be worthy of an allotment."

It is the position of Broadcasters & Publishers, Inc. that the community of Saltillo is deserving of a local broadcast transmission service but not at the expense of removing the community of Potts Camp's only local transmission service. In its Comments and Counterproposal filed on May 19, 1997, Broadcasters and Publishers, Inc. demonstrated that Channel 275C3 at Saltillo can be added to the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, in compliance with the Commission's minimum distance separation and principal city coverage requirements.

Petitioner points out that as a result of the reallocation of Channel 240C34 to Saltillo, 49,293 persons would lose service from Station WCNA(FM). However, by granting the counterproposal of Broadcasters and Publishers, Inc., (a) there would be no loss of service to nearly 50,000 individuals, (b) Potts Camp would continue to enjoy its only local aural transmission service and (c) Saltillo, "a growing and thriving community in need of local

service," would receive its first local aural transmission service. Accordingly, it is patently apparent that Broadcasters and Publishers, Inc.'s counterproposal best serves the Commission's allotment priorities and policies. See Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1982).

Respectfully submitted,

**BROADCASTERS & PUBLISHERS, INC.**

By: 

Erwin G. Krasnow  
Verner, Liipfert, Bernhard,  
McPherson and Hand, Chartered  
901 15th Street, N.W., Suite 700  
Washington, D.C. 20005

Its Attorneys

June 3, 1997

**CERTIFICATE OF SERVICE**

This is to certify that I, Anastasia C. Chung, have filed the foregoing Reply Comments of Broadcasters & Publishers, Inc. with the Federal Communications Commission on this 3rd day of June, 1997, and that a copy has been served by way of U.S. mail, postage pre-paid, upon Frank R. Jazzo, Esq., Anne Goodwin Crump, Esq., of the law firm of Fletcher, Harold & Hildreth, P.L.C., Eleventh Floor, 1300 North 17th Street, Rosslyn, Virginia 22209, Counsel for Olvie E. Sisk.

  
Anastasia C. Chung